

REMARKS

Applicant has carefully reviewed the Office Action dated April 8, 2009. Applicant has amended Claims 1 and 11 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested. New Claims 21-25 have been added. Support for the amendments to Claims 1 and 11 and new Claims 21-25 may be found in at least paragraphs [0140]-[0145] of the application as originally filed.

Claims 1-20 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Regarding Claim 1, the Office Action asserts in paragraph 6 that the phrase “the representation of the MRC having no routing information contained therein but the MRC having an association with a remote location on the network, which routing information thereto is contained at an intermediate location on the network” is contradictory. In particular, the Office Action asserts that “it is contradictory how the representation of the MRC has no routing information contained therein but the MRC having an association with a remote location on the network” because “the association is some kind of routing information.” The Office Action further asserts that the recitation of “routing information” is “extremely vague” and that “the claimed routing information is contained in an intermediate location, but no use of the routing information is recited in the claims.”

Applicant has amended Claim 1 to further clarify that the representation of the MRC does not itself contain routing information, but that routing information associated with the representation of the MRC is instead received from an intermediate location in response to transmitting the representation of the MRC to the intermediate location. Applicant has also amended Claim 1 to clarify that the routing information includes a network address associated with a remote location on the network, and that the routing information is used to connect the user location to the remote location. In particular, Claim 1 as amended to includes the limitations of “forming a representation of machine recognizable code (MRC) information contained within an MRC using the remote control device in response to the user pressing a first button of the remote control device, the representation of the MRC having no routing

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information contained therein”, “wirelessly transmitting the representation of the MRC information contained within the MRC to a network interface device”, “transmitting the representation of the MRC information from the network interface device to an intermediate location on the network”, “receiving routing information associated with the representation of the MRC information from the intermediate location, the routing information including a network address associated with a remote location on the network”, and “connecting the user location over the network to the remote location associated with the representation of the MRC information using the routing information retrieved from the intermediate location and downloading information therefrom.”

In paragraph 7, the Office Action asserts that the recitation in lines 10-12 of Claim 1 of “the MRC having an association with a remote location on the network” and “the remote location association with the representation of the MRC” is vague. The Office Action further asserts that the recitation of “routing information” on line 12 of Claim 1 is vague for not referring back to previously recited “routing information.” Applicant has amended Claim 1 to delete the phrase “but the MRC having an association with a remote location on the network, which routing information thereto is contained at an intermediate location on the network.” The Office Action further asserts that recitation of the “step of extracting” on line 15 of Claim 1 lacks antecedent basis. Applicant has amended Claim 1 to change the phrase “in response to the step of extracting” to “in response to the step of forming.” The Office Action further asserts that “the information” on line 19 lacks antecedent basis. Applicant has amended Claim 1 to change the phrase “the information” to “information.” The Office Action further asserts that the phrase “the representation of the MRC information as defined at the intermediate location” is vague. Applicant has amended Claim 1 to change the phrase “as defined at the intermediate location” to “using the routing information retrieved from the intermediate location.”

In paragraph 8, the Office Action asserts that Claim 1 is “incomplete for omitting essential steps” and that the omitted steps are “retrieving routing information from the intermediate location.” The Office Action asserts that “lacking of this step, there is no relationship between the routing information and the remote location.” As previously described, Applicant has amended Claim 1 to include the limitations of “receiving routing information

associated with the representation of the MRC information from the intermediate location, the routing information including a network address associated with a remote location on the network”, and “connecting the user location over the network to the remote location associated with the representation of the MRC information using the routing information retrieved from the intermediate location and downloading information therefrom.”

In paragraph 9, of the Office Action asserts that the term “substantially” in the phrase “substantially immediate feedback is provided to the user” of Claim 1 renders the claim indefinite. Further, the Office Action asserts that “it is vague what kind of feedback is provided to the user”, and that the phrase “such as when displayed” on line 21 of Claim 1 is “an intended use of the displaying step.” Applicant has amended Claim 1 to amend the phrase “such that when displayed, substantially immediate feedback is provided to the user in response to the step of scanning” to “such that when displayed, substantially immediate feedback of displayed information is provided to the user in response to the step of forming.” Applicant respectfully submits that the term “substantially” recited in Claim 1 is not indefinite. Line 7 of Paragraph [0140] of the specification describes that “[T]he user is then free to download the MRC data to the computer 302 or Web TV 3710 at a later time, or to have the information corresponding to the MRC data retrieved substantially immediately at the time the user is scanning the related MRC 1606.” As may be understood to those of ordinary skill in the art, the phrase “substantially immediate feedback of display information” in Claim 1 refers to there being no significant delay between the forming of the representation of MRC information and the displaying of downloaded information to the user.

The Office Action indicates that Claim 11 is rejected for the same rationale as in Claim 1. Applicant has amended Claim 11 in a similar matter as Claim 1.

In view of the foregoing amendments to Claims 1 and 11, Applicants respectfully request that the 35 U.S.C. 112, second paragraph rejections of Claims 1-20 be withdrawn.

Claims 1-20 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, the Office Action asserts that the recitation in Claim 1 of “the representation of the MRC having no routing information contained

therein” is contradictory with the recitation in the abstract of specification of “the MRC (1606) having associated therewith routing information corresponding to a remote location.” As previously discussed, Claim 1 has been amended to further clarify that the representation of the MRC does not itself contain routing information, but that routing information associated with the representation of the MRC is instead received from an intermediate location in response to transmitting the representation of the MRC to the intermediate location. Similar amendments have been made to Claim 11. In view of the foregoing amendments to Claims 1 and 11, Applicant respectfully requests that the 35 U.S.C. 112, first paragraph rejections of Claims 1-20 be withdrawn.

Claims 1-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2001/0011276 to *Durst Jr. et al.* (hereinafter “*Durst*”) in view of U.S. Patent No. 5,992,752 to *Wilz, Sr. et al.* (hereinafter “*Wilz*”), further in view of U.S. Patent Application No. 2002/0059241 to *Van Ryzin* (hereinafter “*Van Ryzin*”).

Applicant has amended Claim 1 to include the feature of “forming a representation of machine recognizable code (MRC) information contained within an MRC using the remote control device in response to the user pressing a first button of the remote control device, the representation of the MRC having no routing information contained therein” (emphasis added). Applicant respectfully submits that neither *Durst*, *Wilz*, nor *Van Ryzin*, alone or in combination, teach at least the features of Claim 1 of “forming a representation of machine recognizable code (MRC) information contained within an MRC using the remote control device in response to the user pressing a first button of the remote control device, the representation of the MRC having no routing information contained therein”, “wirelessly transmitting the representation of the MRC information contained within the MRC to a network interface device in response to the step of forming”, and “displaying the downloaded information on a display at the user location, such that when displayed, substantially immediate feedback of displayed information is provided to the user in response to the step of forming.”

Durst describes a system in which a user first depresses a scan button 22 of a remote control unit 10, 10A to scan a machine readable symbol 12 encoded with data representative of the location of a resource (such as a URL), and then must point the remote control unit 10, 10A

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at a web-ready television 20 or television set-top conversion unit 20a and press a transmit button 24 to transmit image data captured during scanning to the web-ready television 20 or the television set-top conversion unit 20a (see, for example, paragraphs [0038] and [0043]-[0044] of *Durst*). To provide for the necessity of the user to point the remote control unit 10, 10A at the web-ready television 20 or the television set-top conversion unit 20a in order to transmit the scanned data, the system of *Durst* requires the user to either press the transmit button 24 or alternatively to wait for a delay of time after the scanned data is captured to transmit the scanned data. Thus, *Durst* contains no teaching or suggestion of “forming a representation of machine recognizable code (MRC) information contained within an MRC using the remote control device in response to the user pressing a first button of the remote control device...”, “wirelessly transmitting the representation of the MRC information contained within the MRC to a network interface device in response to the step of forming”, and “displaying the downloaded information on a display at the user location,—such that when displayed, substantially immediate feedback of displayed information is provided to the user in response to the step of forming” as recited in Claim 1.

Wilz describes a system having an automatic laser scanning bar code symbol reader 7A for scanning a bar code symbol encoded with a URL. As described in column 17, line 57 to column 18, lines 12, the automatic laser scanning bar code reader 7A automatically scans and reads a URL-encoded bar code symbol 8 when the bar code symbol is aligned with a sighting aperture. *Van Ryzin* describes an optical scanner 10e for optically scanning a UPC bar code when a user waves the optical scanner 10e across a product code label. *Van Ryzin* neither *Wilz* contains a teaching or suggestion of allowing a user to initiate the scanning procedure through the pressing of a button. Accordingly, Applicant respectfully submits that neither *Wilz* nor *Van Ryzin* teaches or suggests at least the feature of “forming a representation of machine recognizable code (MRC) information contained within an MRC using the remote control device in response to the user pressing a first button of the remote control device...” as recited in Claim 1.

In view of the foregoing Applicant respectfully submits that Claim 1 is allowable over the cited references. Claim 11 has been amended to include features similar to those found in Claim

1 and thus is allowable for analogous reasons. Applicant respectfully requests that the 35 U.S.C. 103 rejections of Claims 1-20 be withdrawn.

New Claim 21 includes the features of “forming a plurality of representations of machine recognizable code (MRC) information contained within each of a plurality of MRCs using the remote control device in response to the user pressing a first button of the remote control device, the representation of each of the MRCs having no routing information contained therein”, “storing the plurality of representations of the MRCs in a memory of the remote control device”, “wirelessly transmitting the plurality of the representations of the MRC information contained within each of the MRCs to a network interface device in response to the user pressing a second button of the control device” and “transmitting the plurality of the representations of the MRC information from the network interface device to an intermediate location on the network.” Applicant respectfully submits that the cited references fail to teach or suggest at least these features of Claim 21. Applicant respectfully submits that new Claims 21-25 are also allowable over the cited references.

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/RPXC-26,630 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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